



Public Notice

**U.S. Army Corps
of Engineers**
Pittsburgh District

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. 199660730

Date: July 26, 2002

Notice No. 02-M3

Closing Date: November 7, 2002

**NOTICE OF PUBLIC HEARING AND AVAILABILITY OF THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT/
SECTION 10 AND SECTION 404 PERMIT APPLICATIONS FOR
SAND AND GRAVEL DREDGING ON THE
ALLEGHENY AND OHIO RIVERS, PENNSYLVANIA**

1. TO ALL WHOM IT MAY CONCERN: Notice is given that the U. S. Army Corps of Engineers, Pittsburgh District, has completed a Draft Environmental Impact Statement (DEIS) for Commercial Sand and Gravel Dredging and is considering Section 10 and Section 404 permit applications for dredging in specific areas in the Ohio River between Mile 0.0 and Mile 40.0 and in the Allegheny River between Mile 0.0 and Mile 69.5. This notice is made pursuant to Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act of 1977, as amended, and the National Environmental Policy Act of 1969. The attached maps illustrate the applicants' proposed dredging areas. The applications under evaluation are:

#200201005
Hanson Aggregates PMA, Inc.
400 Industrial Boulevard
New Kensington, PA 15068

#200201006
Tri-State River Products, Inc.
Box 218, 334 Insurance Street
Beaver, PA 15009

#200201007
Glacial Sand and Gravel Company
P. O. Box 1022
Kittanning, PA 16201

2. The Draft Environmental Impact Statement addresses commercial dredging in the Ohio and Allegheny Rivers in Pennsylvania and presents three (3) alternatives: (a) No action, which is the complete cessation of commercial river dredging within the study area; (b) Extraction of sand and gravel from the rivers by dredging; (c) Using land-based operations or

importation of sand and gravel from other locations to meet the need. The alternatives are outlined as follows:

a. Alternative 1 (No Action) is the complete cessation of commercial dredging within the study area following denial of permit extensions and expiration of existing permits held by the applicants. This alternative would essentially place a moratorium on future commercial dredging activities (other than for navigational purposes) in the entire navigable Allegheny River and between river miles 0 to 40 in the Ohio River. This alternative, which is considered the no action alternative, evaluates the effects of cessation of river dredging relative to baseline conditions (i.e., current conditions) within the study area.

b. Alternative 2 consists of obtaining sand and gravel from the Allegheny and Ohio Rivers by a continuation of commercial dredging. This alternative grants and extends Department of the Army Section 10 and Section 404 permits to commercial sand and gravel dredging companies for the removal of sand and gravel between river miles 0-69.5 in the Allegheny River and between river miles 0-40.0 in the Ohio River. This is the applicants' preferred alternative. Under this alternative, the applicants would be required to conduct dredging activities in accordance with permit conditions established by the permitting agencies, as discussed in Section 2.2.1 of the Draft Environmental Impact Statement.

c. Alternative 3 consists of using land-based operations or importation of sand and gravel from other locations to meet the regional need for this material. Implied by this alternative is the complete cessation of commercial river dredging (other than for navigational purposes) and denial of extending existing permits held by the applicants. This alternative evaluates the short-term and long-term, direct and indirect effects associated with obtaining sand and gravel from land-based quarries and other sources within the region.

A final decision on a Selected Alternative will not be made until all comments on the DEIS and comments/testimony received at the Public Hearing are evaluated, a Final EIS is circulated, and a Record of Decision (ROD) is issued.

3. ENCROACHMENT PERMITS: The applicants have obtained encroachment permits which include State 401 Water Quality Certification, if required, from the:

Pennsylvania Department of Environmental Protection
Southwest Regional Office
Soils and Waterways Section
400 Waterfront Drive
Pittsburgh, PA 15222-4745
Telephone: 412-442-4000

4. IMPACT ON NATURAL RESOURCES: The Corps of Engineers has initiated informal consultation with the U. S. Fish and Wildlife Service under Section 7 of the Endangered Species Act of 1973 (as amended) on a mussel sampling protocol that could be utilized and implemented in future dredging permits. One endangered mussel (northern riffleshell) has been identified in Pool 8, Allegheny River at Mile 58.85. Two endangered mussels (northern riffleshell and clubshell) have been identified in Pool 9, Allegheny River near East Brady. This Public Notice serves as a request to the U. S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activities, pursuant to Section 7 of the Endangered Species Act of 1973 (as amended).

5. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

6. PUBLIC INVOLVEMENT: An Open House Plans Display and Public Hearing will be held at the new David L. Lawrence Convention Center, 10th Street and Fort Duquesne Boulevard, in downtown Pittsburgh, PA (for directions, see our web site mentioned in paragraph 8) on September 4, 2002 during the ninety (90) day comment period. The Open House and registration for testimony will be conducted from 4:00 p.m. to 6:00 p.m. and will provide the public with an opportunity to request or provide information regarding the Draft Environmental Impact Statement (DEIS) and the Section 10 and Section 404 Permit Applications for proposed commercial dredging activities.

The Public Hearing will be held from 6:00 p.m. to 8:00 p.m. or until all those desiring to testify have an opportunity to provide testimony regarding the Draft Environmental Impact Statement and Section 10 and Section 404 Permit Applications for proposed commercial sand and gravel dredging. Those who desire to give private testimony to a stenographer or tape recorder may do so from 4:00 p.m. to 8:00 p.m. All interested parties are invited to be present at the above time and place, including officials from any local government or association whose interest may be affected by the proposed activity, including its social, economic, natural resources, cultural resources, or other effects. After remarks on the permit process by the Corps of Engineers and a formal presentation by a representative of the applicants, citizens and public officials will have the

opportunity to give oral public testimony (limited to five minutes per person). However, speakers may submit more detailed written comments to accompany their oral testimony. Oral statements pertinent to the Draft EIS and Section 10 and Section 404 permit applications will be heard, and written statements may also be presented. All statements, both oral and written, will be recorded and will become part of the official hearing record. The U. S. Army Corps of Engineers will accept written testimony and comments submitted at anytime during the hearing hours, or mailed in by the end of the 90-day comment period on November 7, 2002 to Albert H. Rogalla, U. S. Army Corps of Engineers, Pittsburgh District, Moorhead Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186. E-mail comments will not be accepted.

Groups with common interests are encouraged to consolidate their comments for presentation by a representative spokesperson.

This public hearing is being conducted to ensure that every effort is made to identify and weigh all beneficial and adverse effects of the proposed activity as part of the NEPA process and the Corps' Public Interest Review.

7. REGISTRATION: Individuals who wish to give testimony should pre-register for a maximum five minute speaking allotment by calling Elaine Heston of Heston Consulting, Inc. Public and written testimony will be accepted the day of the hearing, with written testimony also being accepted until November 7, 2002. The Public Hearing location is accessible to persons having disabilities. Any persons requiring special assistance are requested to contact Elaine Heston at 724-379-9570.

8. ACCESSIBILITY OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT: The Draft EIS will be available for review until November 7, 2002 during regular business hours at the locations listed on the attachment to this Public Notice. It is also available for review during regular business hours at the U. S. Army Corps of Engineers, Public Affairs Office, Room 1801 Moorhead Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania. Please call Richard Dowling at 412-395-7501 to coordinate a visit.

The Draft EIS is also available on the Pittsburgh District web site at www.lrp.usace.army.mil.

If a member of the public would like a copy of the Draft EIS, a compact disc (CD) will be furnished upon request by calling Linda Everley at 412-395-7152 or Linda Malsch at 412-395-7157.

As a reminder, the Public Hearing will be held on September 4, 2002 at 6:00 p.m. at the new David L. Lawrence Convention Center. The hearing record and comment period remain open until the 90-day closing date of this notice, November 7,

2002. Written hearing testimony and comment letters may be sent to Albert H. Rogalla, U. S. Army Corps of Engineers, Pittsburgh District, Moorhead Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186.

9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activities. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments will be incorporated into the Final Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activities. The evaluation of the impact of the activities on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

FOR THE DISTRICT ENGINEER:



Albert H. Rogalla
Chief, Regulatory Branch

**THE DRAFT ENVIRONMENTAL IMPACT STATEMENT/SECTION 404 PERMIT
APPLICATIONS ARE AVAILABLE FOR REVIEW UNTIL NOVEMBER 7, 2002
DURING REGULAR BUSINESS HOURS AT THE FOLLOWING LOCATIONS:**

Carnegie Library of Pittsburgh
4400 Forbes Avenue
Pittsburgh, PA 15213

Carnegie Library of Pittsburgh
5 Allegheny Square
Pittsburgh, PA 15212

Oakmont Public Library
700 Allegheny River Blvd.
Oakmont, PA 15139

Springdale Free Public Library
331 School Street
Springdale, PA 15144

People's Library
3052 Wachter Avenue
New Kensington, PA 15068

People's Library
880 Barnes Street
New Kensington, PA 15068

Community Library of Allegheny
315 E. 6th Avenue
Tarentum, PA 15084

Community Library of Allegheny
1522 Broadview Blvd.
Natrona Heights, PA 15065

Freeport Area Library
428 Market Street
Freeport, PA 16229

Ford City Public Library
1136 4th Avenue
Ford City, PA 16226

Kittanning Public Library
280 N. Jefferson Street
Kittanning, PA 16201

Sewickley Public Library
500 Thorn Street
Sewickley, PA 15143

Beaver Area Memorial Library
100 College Avenue
Beaver, PA 15009

Monaca Public Library
609 Pennsylvania Avenue
Monaca, PA 15061

Rochester Public Library
252 Adams Street
Rochester, PA 15074

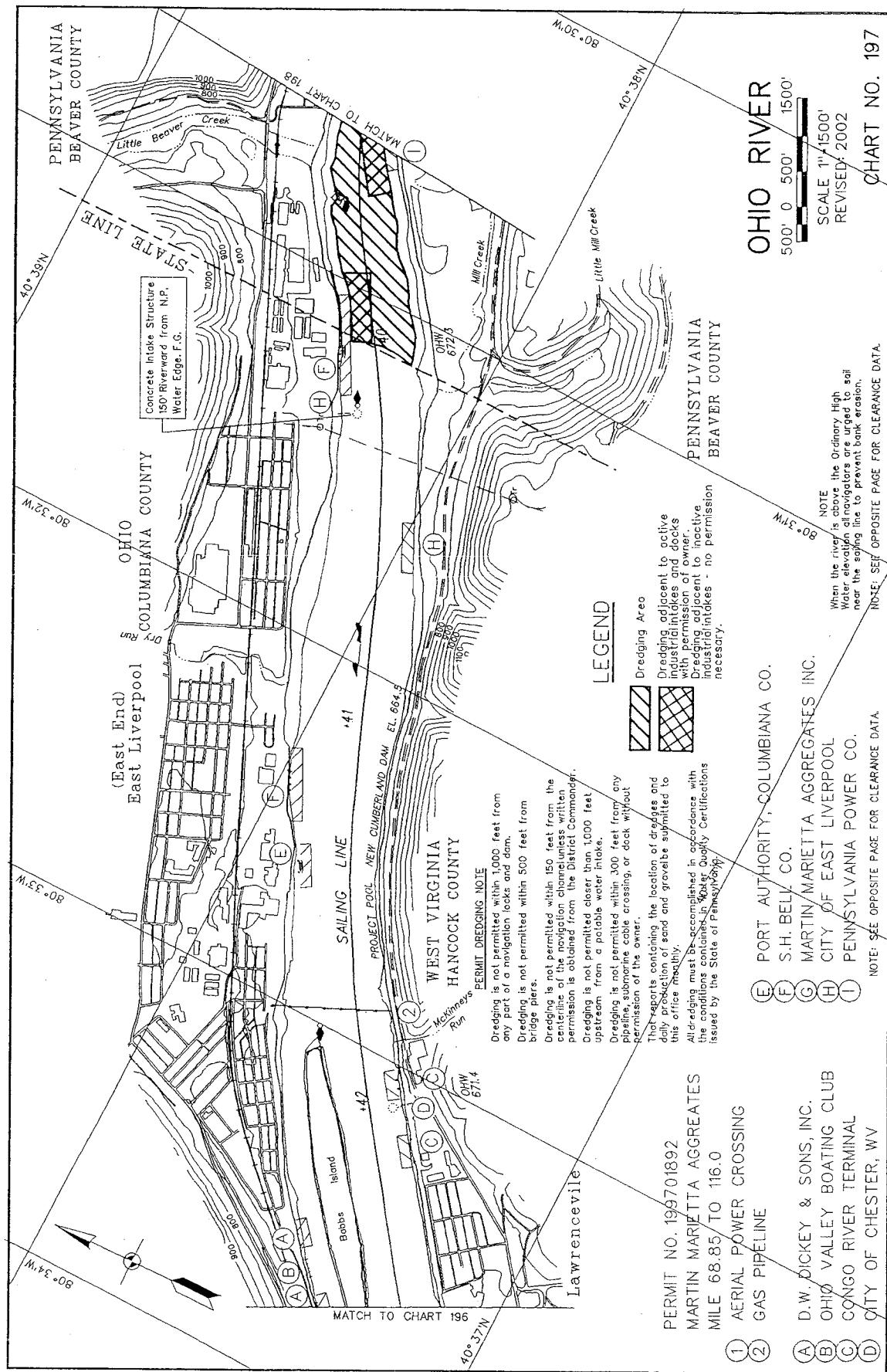
New Brighton Public Library
1021 3rd Avenue
New Brighton, PA 15066

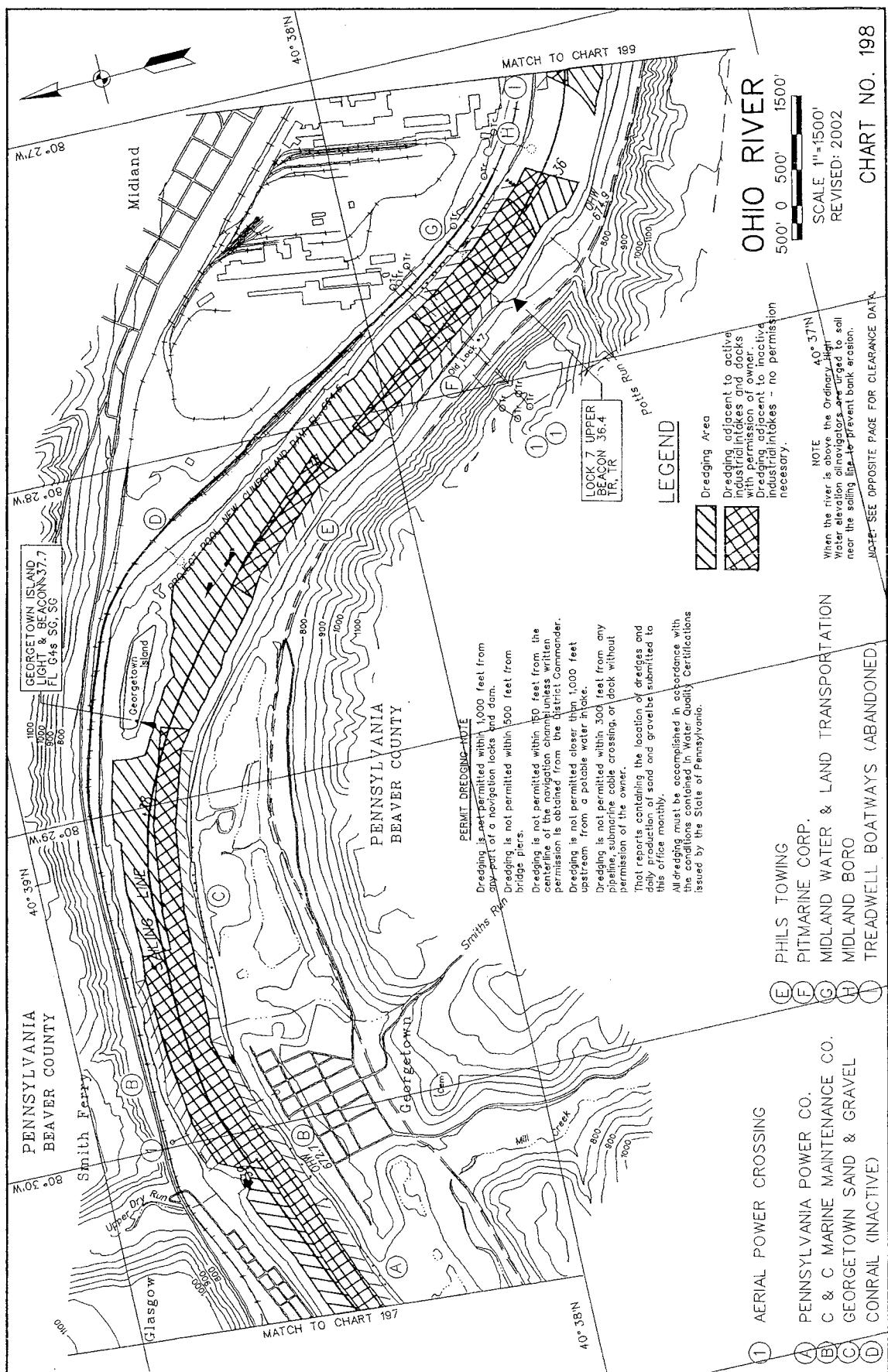
Baden Memorial Library
385 State Street
Baden, PA 15005

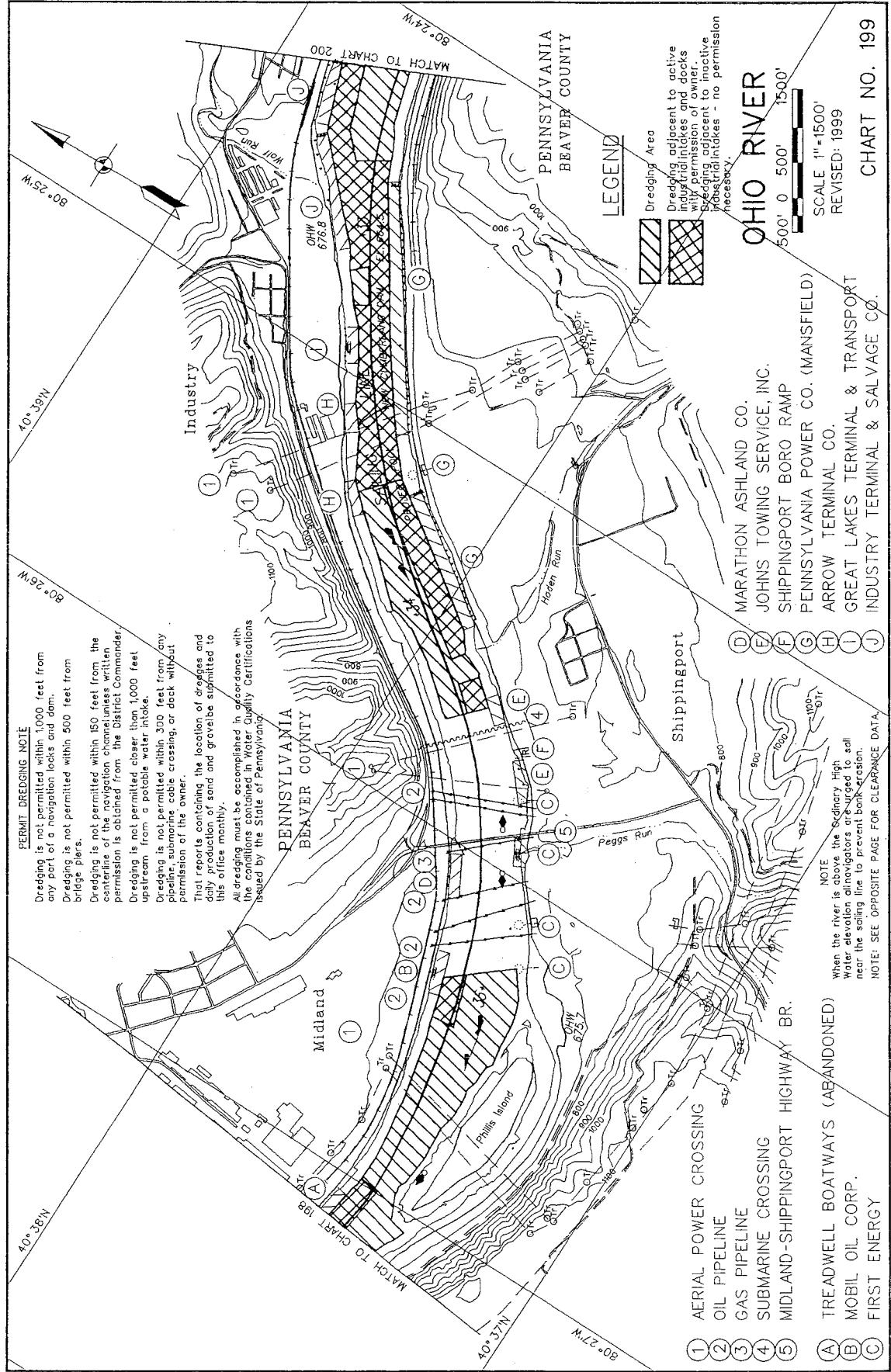
B. F. Jones Memorial Library
663 Franklin Avenue
Aliquippa, PA 15001

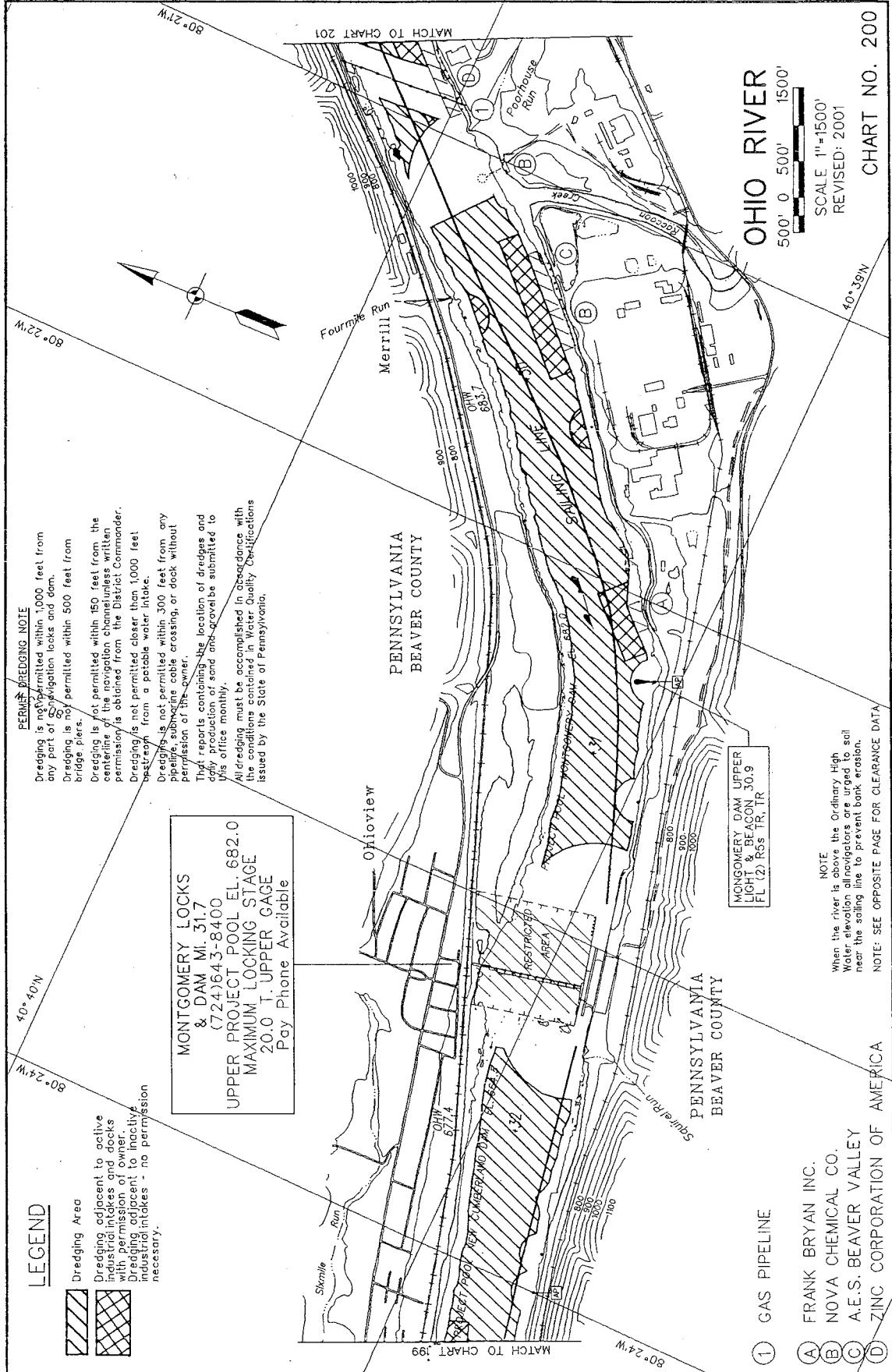
Carnegie Free Library
61 9th Street
Midland, PA 15059

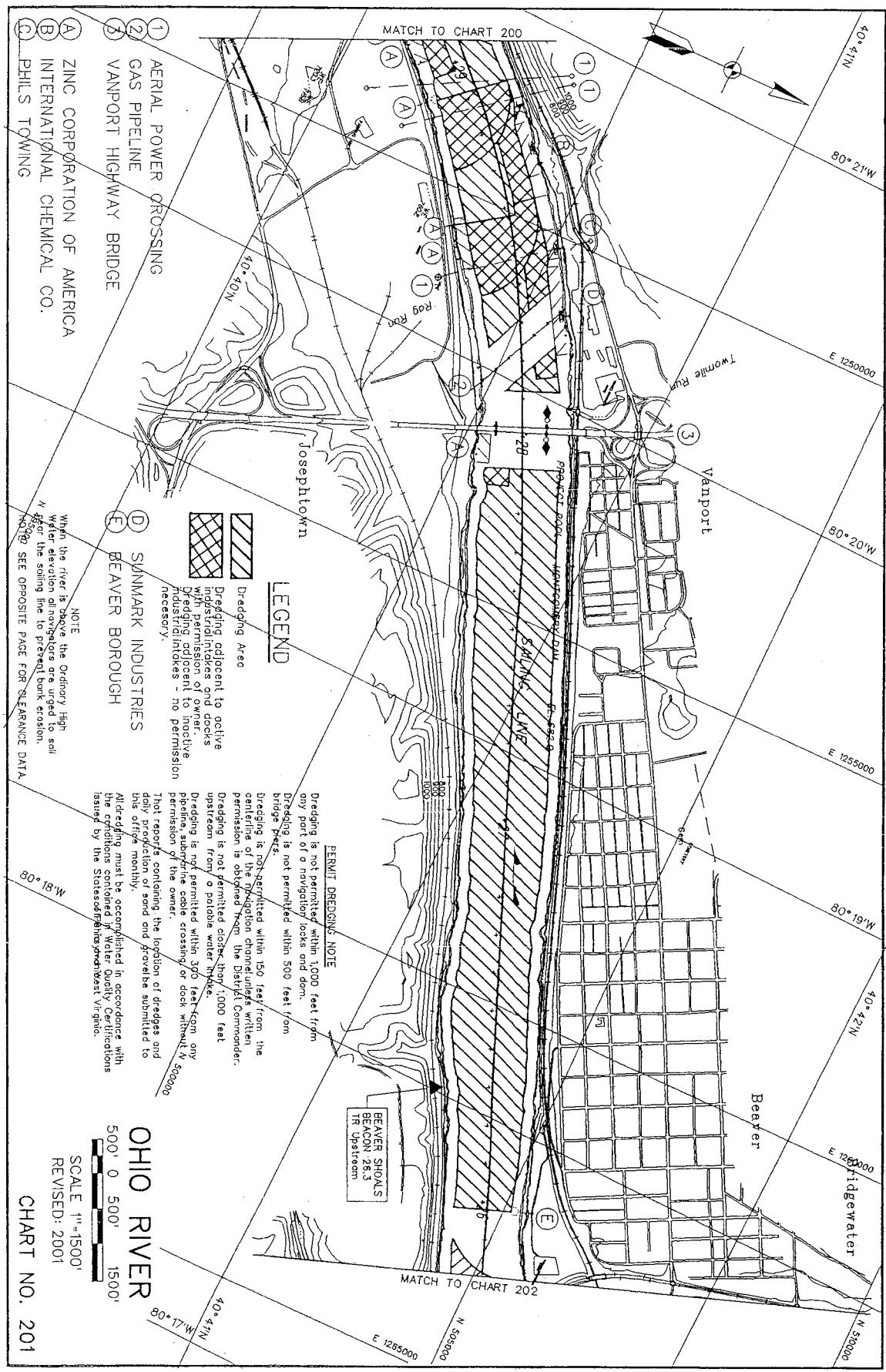
Laughlin Memorial Free Library
99 11th Street
Ambridge, PA 15003

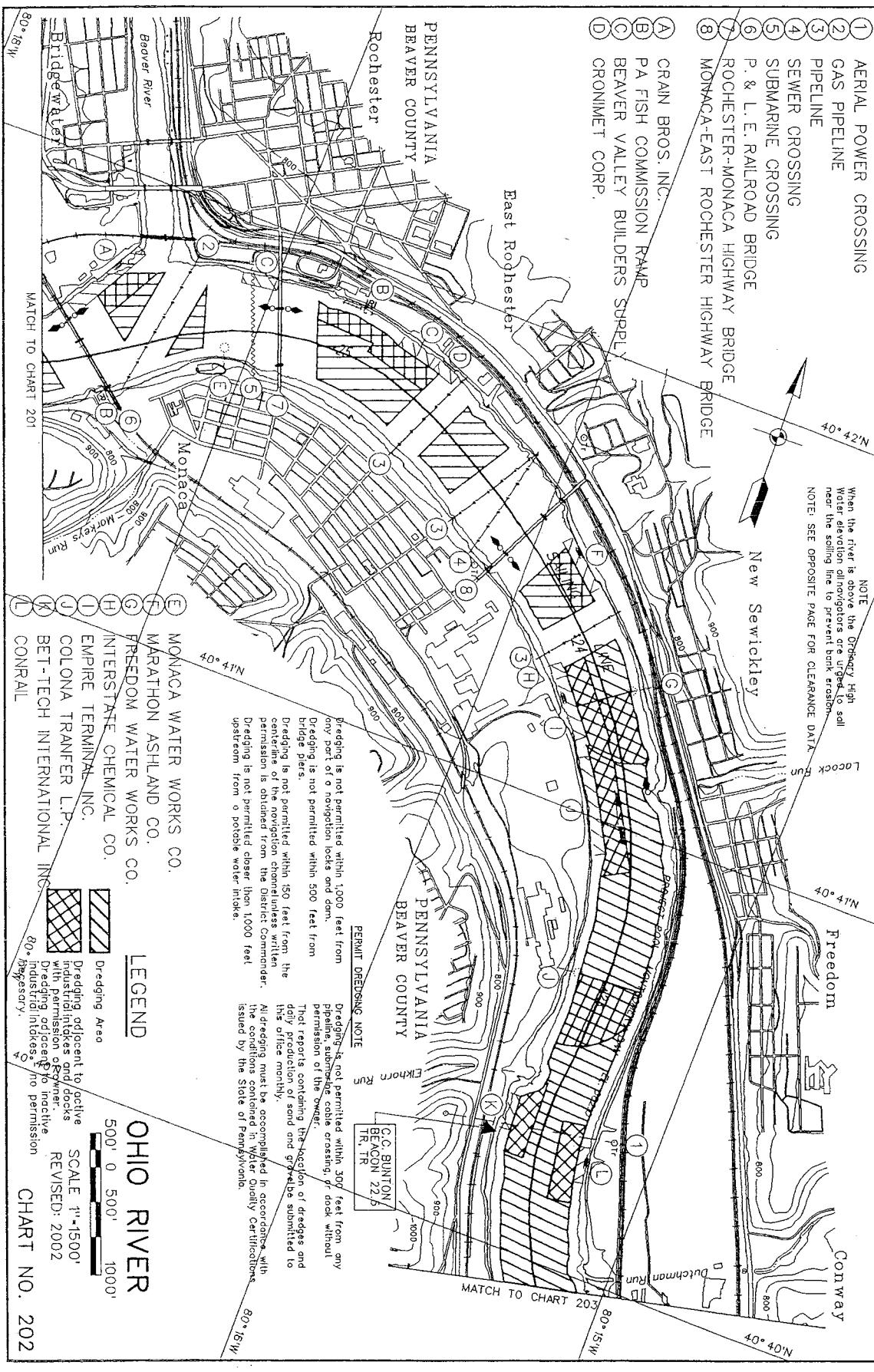












PERMIT DREDGING NOTE

Dredging is not permitted within 1,000 feet from any port or a navigation locks and dam.

Dredging is not permitted within 500 feet from bridge piers.

Dredging is not permitted within 150 feet from the centerline of the navigation channel unless written permission is obtained from the District Commander.

Dredging is not permitted closer than 1,000 feet.

Dredging away from a possible water intake.

Dredging is not permitted within 300 feet from pipeline, submarine cable crossing, or dock without permission of the owner.

Dredging is not permitted within 400 feet from daily production of sand and gravel be submitted to this office monthly.

All dredging must be accomplished in accordance with the conditions contained in Water Quality Certifications issued by the State of Pennsylvania.

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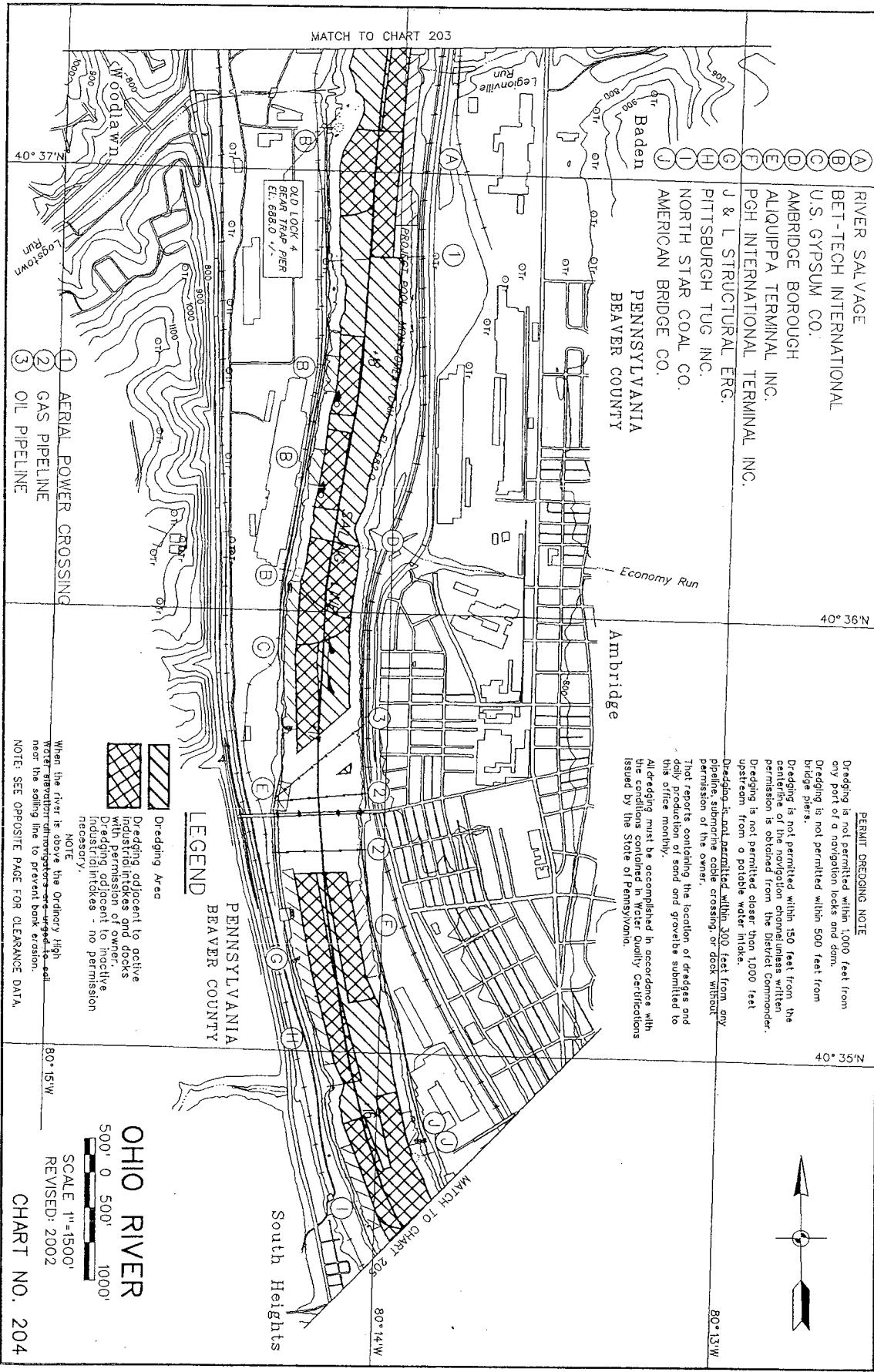
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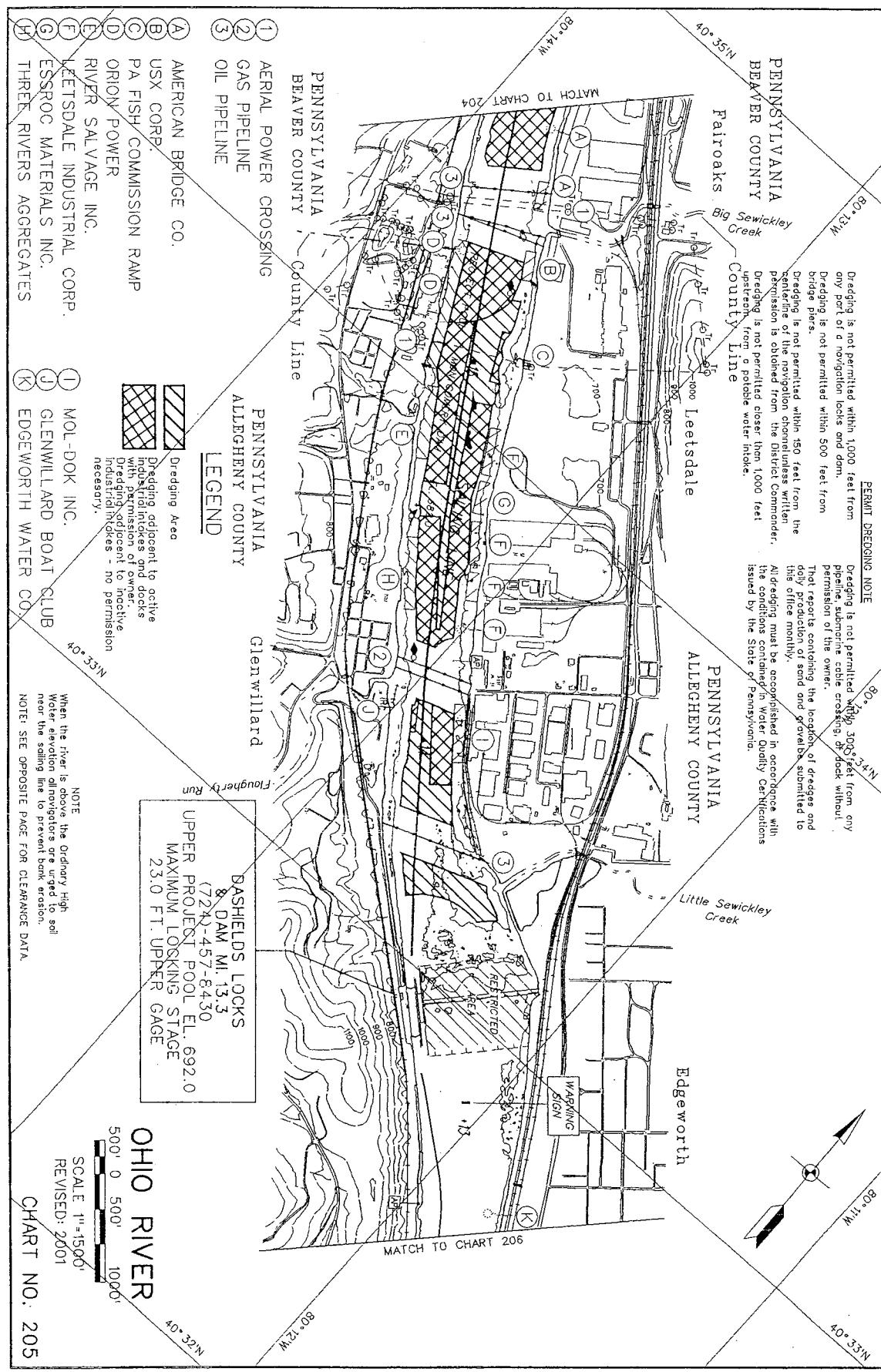
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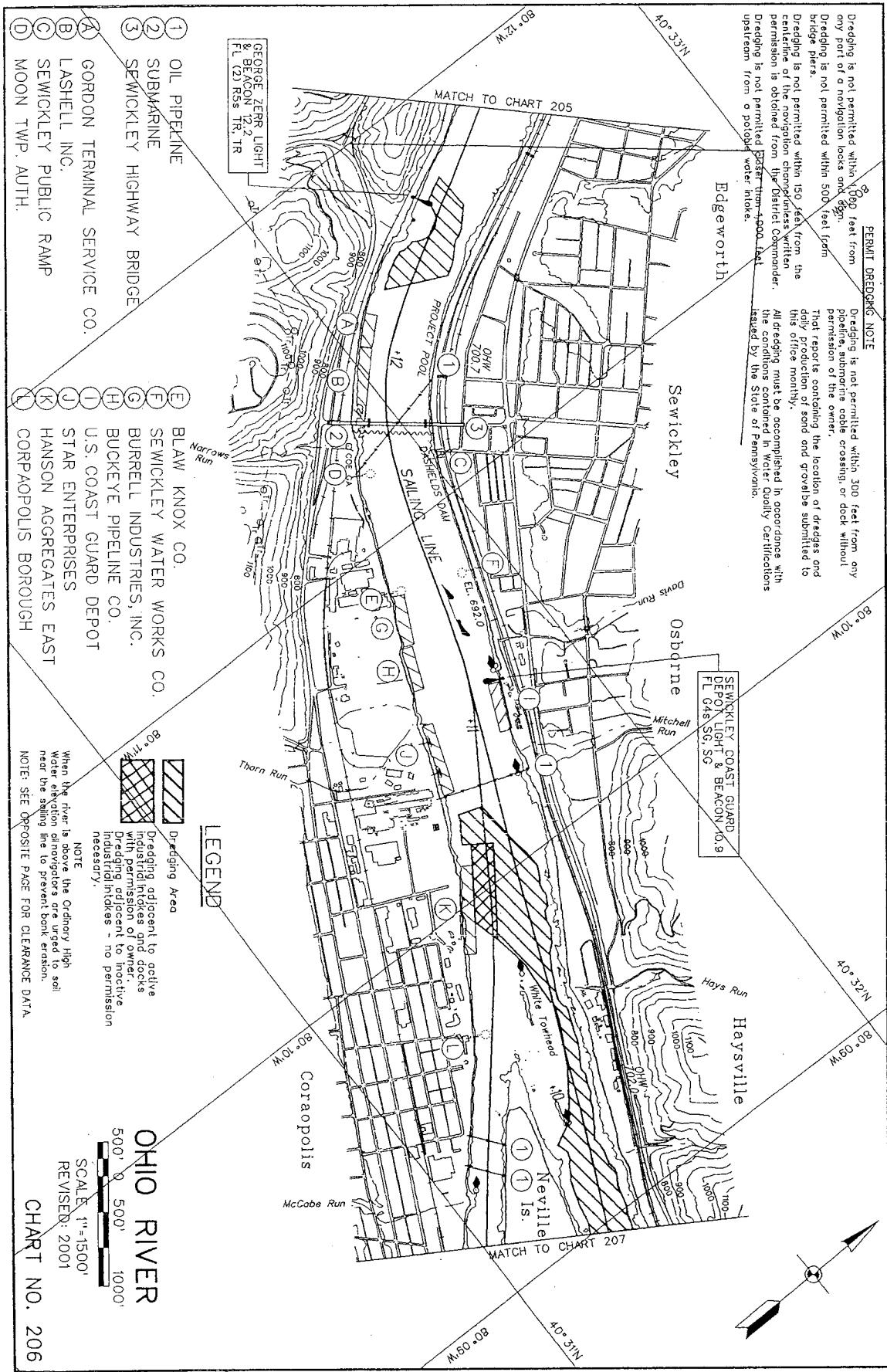
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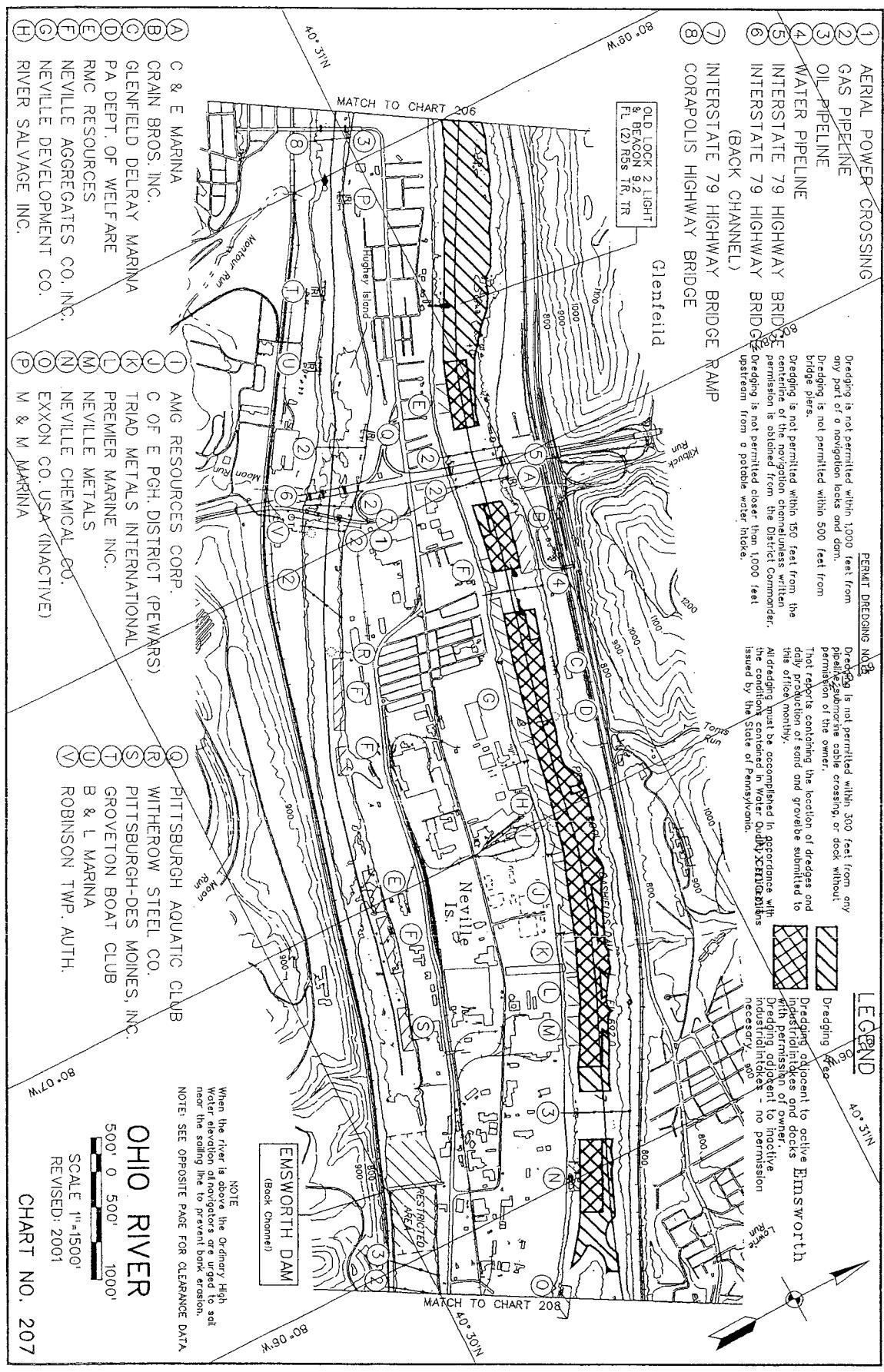
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MATCH TO CHART 203









**EMSWORTH LOCKS
& DAMS M. 6.2**

412 766-6213

UPPER PROJECT ROLL EL. 710.0

MAXIMUM LOCKING STAGE

22.0 FT. UPPER GAGE

Pay Telephone Available

PENNSYLVANIA
ALLEGHENY COUNTY

Bellevue

Jocks Run

LEGEND

500'

0

500'

1500'

SCALE 1"=1500'

REVISED: 2001

NOTE: SEE OPPOSITE PAGE FOR CLEARANCE DATA.

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